



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Eighteenth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.11104 of 2019
in
C.M.A(MD) SR.No.77258 of 2019

- 1 THE MANAGER,
UNITED INDIA INSURANCE COMPANY LTD,
D.NO.44-D, ROMEO COMPLEX,
UTHAMAPALAYAM ROAD, BODINAYAKANUR,
THENI DISTRICT.
- 2 THE BRANCH MANAGER,
UNITED INDIA INSURANCE COMPANY LTD,
D.NO.80, KARAIKUDI TOWN, KARAIKUDI TALUK,
SIVAGANGAI DISTRICT. ... PETITIONERS/ APPELLANTS

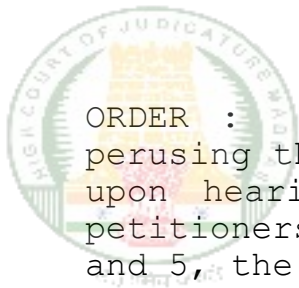
Vs

- 1 POTHUMPONNU
- 2 MINOR.RAJESHKUMAR
- 3 MINOR.RAKESHKUMAR
- 4 VILLAAYUTHAM
- 5 MALLIGA
(Minors 2nd and 3rd respondent are represented
by their mother/ next friend, 1st respondent)
- 6 VIJAYAKUMAR
- 7 MUTHUMURUGESAN ... RESPONDENTS/ RESPONDENTS
(The 6th and 7th respondents made set
ex-parte before the Tribunal and
hence the service of summon to them
may be dispensed with)

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 135 days in filing the appeal against the judgment and decree dated 18.02.2019 made in MCOP No.108 of 2016 on the file of Motor Accidents Claims Tribunal/Sub Judge, Devakottai.

PRAYER IN C.M.A(MD) SR.No.77258 of 2019:

To set aside the judgment and decree dated 18.02.2019 made in MCOP No.108 of 2016 on the file of Motor Accidents Claims Tribunal/Sub Judge, Devakottai.



ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.I.SUTHAKARAN, Advocate for the petitioners and of Mr.D.VENKATESH, Advocate for the respondents 1, 4 and 5, the court made the following order:-

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This petition has been filed by the petitioner seeking to condone the delay of 135 days in filing the above Civil Miscellaneous Appeal.

2. Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.1000/- (Rupees One Thousand only) to the Legal Services Committee, attached to this Bench, within a week from the date of receipt of a copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court.

3.This petition is accordingly ordered.

4. In the event of payment of cost, the Registry is directed to number the appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-
18/02/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE SUBORDINATE JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL,
DEVAKOTTAI.

COPY TO:

THE OFFICER INCHARGE,
LEGAL SERVICES COMMITTEE
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CMP(MD) No.11104 of 2019 IN
C.M.A(MD) SR.No.77258 of 2019
Date :18/02/2021
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MS/PN/SAR-2/23.02.2021/2P.3C

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